

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

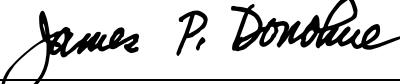
JUAN G. SANCHEZ, )  
Plaintiff, ) Case No. C05-1493-JCC-JPD  
v. )  
JO ANNE B. BARNHART, Commissioner ) ORDER DIRECTING DEFENDANT  
of Social Security Administration, ) TO FILE ADDITIONAL BRIEFING  
Defendant. )  
\_\_\_\_\_  
)

Plaintiff Juan G. Sanchez is proceeding through counsel in this action challenging a final decision of the Commissioner of the Social Security Administration. In his reply brief, plaintiff argues for the first time that the ALJ erroneously concluded that he did not suffer from mild retardation or borderline intellectual functioning. *See* Dkt. No. 17 at 10. Because defendant did not have an adequate opportunity to respond to this argument, the Court orders as follows:

(1) Defendant is ORDERED to file a supplemental brief addressing plaintiff's argument that the ALJ erroneously concluded that he did not suffer from mild retardation or borderline intellectual functioning. Defendant's brief shall be no longer than seven pages and shall be submitted no later than Monday, June 26, 2006. The Court will not accept additional briefing from either party on this matter at this time.

01 (2) The Clerk is directed to send copies of this order to the parties and to the  
02 Honorable John C. Coughenour.

03 DATED this 14th day of June, 2006.

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07 JAMES P. DONOHUE  
08 United States Magistrate Judge  
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